



# DIGEST SUPPLEMENT

To Legislative Digest and History of Bills  
Supplement No. 13\*

FIFTY-NINTH LEGISLATURE

Thursday, January 27, 2005

18th Day - 2005 Regular

## SENATE

SB 5461	SB 5478	SB 5495	SB 5512
SB 5462	SB 5479	SB 5496	SB 5513
SB 5463	SB 5480	SB 5497	SB 5514
SB 5464	SB 5481	SB 5498	SB 5515
SB 5465	SB 5482	SB 5499	SB 5516
SB 5466	SB 5483	SB 5500	SB 5517
SB 5467	SB 5484	SB 5501	SB 5518
SB 5468	SB 5485	SB 5502	SB 5519
SB 5469	SB 5486	SB 5503	SB 5520
SB 5470	SB 5487	SB 5504	SB 5521
SB 5471	SB 5488	SB 5505	SB 5522
SB 5472	SB 5489	SB 5506	
SB 5473	SB 5490	SB 5507	
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## HOUSE

HB 1188-S	HB 1510	HB 1527
HB 1494	HB 1511	HJR 4204
HB 1495	HB 1512	HJR 4205
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## LIST OF BILLS IN DIGEST SUPPLEMENTS

### SENATE

SB 5000	Supp. 1	SB 5031	Supp. 1
SB 5001	Supp. 1	SB 5032	Supp. 1
SB 5002	Supp. 1	SB 5033	Supp. 1
SB 5003	Supp. 1	SB 5034	Supp. 1
SB 5004	Supp. 1	SB 5035	Supp. 1
SB 5005	Supp. 1	SB 5036	Supp. 1
SB 5006	Supp. 1	SB 5037	Supp. 1
SB 5007	Supp. 1	SB 5038	Supp. 1
SB 5008	Supp. 1	SB 5039	Supp. 2
SB 5009	Supp. 1	SB 5040	Supp. 2
SB 5010	Supp. 1	SB 5041	Supp. 2
SB 5011	Supp. 1	SB 5042	Supp. 2
SB 5012	Supp. 1	SB 5043	Supp. 3
SB 5013	Supp. 1	SB 5044	Supp. 3
SB 5014	Supp. 1	SB 5045	Supp. 3
SB 5015	Supp. 1	SB 5046	Supp. 3
SB 5016	Supp. 1	SB 5047	Supp. 3
SB 5017	Supp. 1	SB 5048	Supp. 3
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SB 5019	Supp. 1	SB 5050	Supp. 3
SB 5020	Supp. 1	SB 5051	Supp. 3
SB 5021	Supp. 1	SB 5052	Supp. 3
SB 5022	Supp. 1	SB 5053	Supp. 3
SB 5023	Supp. 1	SB 5054	Supp. 3
SB 5024	Supp. 1	SB 5055	Supp. 3
SB 5025	Supp. 1	SB 5056	Supp. 3
SB 5026	Supp. 1	SB 5057	Supp. 3
SB 5027	Supp. 1	SB 5058	Supp. 3
SB 5028	Supp. 1	SB 5059	Supp. 3
SB 5029	Supp. 1	SB 5060	Supp. 3
SB 5030	Supp. 1	SB 5061	Supp. 3

### HOUSE

HI 330	Supp. 12	HB 1028	Supp. 1
HI 336	Supp. 12	HB 1029	Supp. 1
HB 1000	Supp. 1	HB 1030	Supp. 1
HB 1001	Supp. 1	HB 1031	Supp. 1
HB 1002	Supp. 1	HB 1032	Supp. 2
HB 1003	Supp. 1	HB 1033	Supp. 2
HB 1004	Supp. 1	HB 1034	Supp. 2
HB 1005	Supp. 1	HB 1035	Supp. 2
HB 1006	Supp. 1	HB 1036	Supp. 2
HB 1007	Supp. 1	HB 1037	Supp. 2
HB 1008	Supp. 1	HB 1038	Supp. 2
HB 1009	Supp. 1	HB 1039	Supp. 2
HB 1010	Supp. 1	HB 1040	Supp. 2
HB 1011	Supp. 1	HB 1041	Supp. 2
HB 1012	Supp. 1	HB 1042	Supp. 2
HB 1013	Supp. 1	HB 1043	Supp. 2
HB 1014	Supp. 1	HB 1044	Supp. 2
HB 1014-S	Supp. 12	HB 1045	Supp. 2
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HB 1016	Supp. 1	HB 1047	Supp. 2
HB 1017	Supp. 1	HB 1048	Supp. 3
HB 1018	Supp. 1	HB 1049	Supp. 3
HB 1019	Supp. 1	HB 1050	Supp. 3
HB 1020	Supp. 1	HB 1051	Supp. 3
HB 1021	Supp. 1	HB 1052	Supp. 3
HB 1022	Supp. 1	HB 1053	Supp. 3
HB 1023	Supp. 1	HB 1054	Supp. 3
HB 1024	Supp. 1	HB 1055	Supp. 3
HB 1025	Supp. 1	HB 1056	Supp. 3
HB 1026	Supp. 1	HB 1057	Supp. 3
HB 1027	Supp. 1	HB 1058	Supp. 3

\*To be discarded upon receipt of Edition No. 1 of the Legislative Digest and History of Bills

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**House Bills**

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**HB 1188-S** by House Committee on (originally sponsored by Representatives Murray, Woods, Conway, O'Brien, Ericks, Condotta, Wood, Simpson, Campbell, P. Sullivan, Lovick, Williams, Chase, Hinkle and Ormsby)

Negotiating state patrol officer wages and wage-related matters.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 41.56.473 and 41.56.475 relating to negotiating state patrol officer wages and wage-related matters.

**-- 2005 REGULAR SESSION --**

Jan 24 CL - Majority; 1st substitute bill be substituted, do pass.  
Jan 26 Referred to Appropriations.

**HB 1494** by Representatives Morrell, Clibborn, Green, Kessler, Cody, Appleton, Darneille, Williams, Campbell, Lovick, Simpson, Hunt, Chase, Wood, Sells, Roberts, Kenney, McIntire, Hasegawa, Santos, Moeller and Schual-Berke

Improving the delivery of health care services to school children.

Finds that additional school nurses with the appropriate expertise are needed in our schools to play a pivotal role in improving the health and educational success of the school-age child.

Provides that, beginning with the 2006-07 school year, each class I school district shall maintain a ratio of at least one school nurse for every two thousand full-time equivalent students. Beginning in the 2008-09 school year, each class I school district shall maintain a ratio of at least one school nurse for every one thousand five hundred full-time equivalent students.

Provides that, by December 31, 2008, the superintendent of public instruction shall submit a report to the legislature on the implementation of this act and the impact of the services provided. The report shall include recommendations about whether funding for school nurses should be an ongoing responsibility of the state and part of basic education.

Declares that the office of the superintendent of public instruction may receive gifts, grants, or endowments from public or private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of this act and spend gifts, grants, or endowments or income from the public or private sources to support the ratios provided for in this act, unless the receipt of the gifts, grants, or endowments violates RCW 42.17.710.

Expires December 31, 2008.

Appropriates the sum of . . . . ., or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the office of the superintendent of public instruction for the purposes of this act.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Health Care.

**HB 1495** by Representatives McCoy, Roach, Simpson, P. Sullivan, McDermott, Santos, Appleton, Darneille, Williams, Hunt, Haigh, Chase, Sells, Conway, Kenney, Kagi, Moeller, Ormsby and Blake

Requiring that Washington's tribal history be taught in the common schools.

Provides that, by January 1, 2015, or when a school district reviews or adopts its social studies curriculum, whichever is sooner, the school district must incorporate into its history and social studies curricula for each grade in which the district offers instruction on Washington state and United States history, the tribally and district-approved history and culture curriculum of a federally recognized Indian tribe whose reservation in whole or in part sits within the boundaries of the school district.

Provides that, if a district has no portion of a tribal reservation located within its boundaries, the district must incorporate into its curricula the tribally and district-approved history and culture curriculum of the federally recognized Indian tribes whose traditional lands and territories are within a one hundred mile radius of the school district.

Requires the program of Indian education within the office of the superintendent of public instruction to assist school districts in determining the location of tribal reservations and traditional lands and territories.

Provides that the tribal history and culture curriculum required under this section may be taught only by a teacher who has completed that tribe's first people's language and culture teacher certification program, or by a teacher who has been approved by the respective tribe whose curriculum is to be taught.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Education.

**HB 1496** by Representatives Simpson, Roach, P. Sullivan, Quall, McDermott, Santos, Appleton, McCoy, Hunt, Kenney, Kagi and Blake

Authorizing the use of enrollment cards issued by federally recognized Indian tribes.

Directs the liquor control board to adopt rules designating an enrollment card issued by a federally recognized Indian tribe as acceptable identification for the purpose of purchasing alcoholic beverages.

Takes effect January 1, 2006.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**HB 1497** by Representatives Green, Bailey, Cody, Morrell and Kirby; by request of Insurance Commissioner

Implementing changes to medicare supplement insurance requirements as mandated by the medicare modernization act of 2003 and other federal requirements.

Implements changes to medicare supplement insurance requirements as mandated by the medicare modernization act of 2003 and other federal requirements.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Health Care.

**HB 1498** by Representatives Blake, McCoy, Wallace, Kretz, Buck and Chase

Prohibiting the release of barred owls.

Declares that it is unlawful for any private citizen or public employee to release from captivity anywhere in the state a barred owl or a barred owl/spotted owl hybrid that has been captured alive pursuant to the authority granted in a federal permit.

Declares that a violation of this act shall be punished as a natural resource infraction under chapter 7.84 RCW.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Natural Resources, Ecology & Parks.

**HB 1499** by Representatives O'Brien, Campbell, Lantz, Lovick, Strow, Simpson, Chase, Hudgins, Linville and Moeller

Enhancing the penalties for animal cruelty.

Enhances the penalties for animal cruelty.  
Repeals RCW 16.08.030.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Judiciary.

**HB 1500** by Representatives Nixon, Shabro, McCune and Springer

Establishing procedures for forming new counties.

Declares that the purpose of this act is to establish procedures for the orderly formation of new counties and to provide for an equitable apportionment of the debts, liabilities, and assets of the parent county or counties between the new county and the remaining portions or portions of each parent county.

Requires the proponent or proponents of a proposed new county to, before the circulation of a petition in support of the formation of that new county, file with the secretary of state a statement designating the name of the proposed county and containing the legal description of the proposed county, together with an affidavit from each proponent that he or she is a registered voter within the territory of the proposed county. If there are two or more proponents, one of them must be designated as the principal proponent for the purpose of receiving notices and communications required by law.

Provides that, upon receipt of the legal description and affidavit of sponsorship for a proposed new county, the secretary of state shall forward a copy of the legal description to the office of financial management.

Provides that, within thirty days of receipt of this request from the secretary of state, the director of the office of financial management shall determine if the legal description is consistent and the territory described is a single, contiguous area. If the legal description is defective, the director shall notify the secretary of state and the principal proponent of the nature and extent of the defect.

Provides that, if the legal description is not defective, the director shall also determine the population of the proposed new county and the population of the remaining portion or portions of each parent county, using the most current data available. The director shall certify these populations to the secretary of state and the principal proponent of the new county within thirty days of receipt of the request from the secretary of state.

Requires that a petition proposing the creation of a new county must be signed by at least fifty percent of the registered voters residing in the combined portions of each parent county from which territory is proposed to be stricken and included in the new county.

Declares that every person who signs a petition requesting the creation of a new county with any other than his or her true name is guilty of a class C felony punishable under chapter 9A.20 RCW.

Provides that every person who: (1) Knowingly signs more than one petition for the same effort to create a new county;

(2) Signs a petition requesting the creation of a new county knowing that he or she is not a legal voter; or

(3) Makes a false statement as to his or her residence on any petition requesting the creation of a new county, is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW.

Repeals RCW 4.12.070, 36.09.010, 36.09.020, 36.09.035, 36.09.040, and 36.09.050.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Local Government.

**HB 1501** by Representatives Chase, DeBolt, Wood and Moeller

Requiring a six-year review of property tax exemptions.

Directs the joint legislative audit and review committee to review the tax preferences in Title 84 RCW beginning in 2006 and every six years thereafter. The review shall be completed and a report prepared by June 30th of the year a review is required. The review shall not include an evaluation of any tax preference in chapter 84.36 RCW that has been in effect less than two years.

Requires the department of revenue to provide the committee with property tax data necessary to conduct the review. Upon completion of the review, the committee shall transmit the report to the appropriate committees of the legislature.

Repeals RCW 43.136.010, 43.136.020, 43.136.030, 43.136.040, 43.136.050, and 43.136.070.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Finance.

**HB 1502** by Representatives Takko and DeBolt

Modifying tax abatement provisions.

Modifies tax abatement provisions.

Amends RCW 84.70.010 relating to tax abatements for property damaged or destroyed by natural disasters.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Finance.

**HB 1503** by Representatives Simpson, Woods and Lovick

Inspecting unregistered tow trucks.

Finds that it is necessary for the protection of the public that a system of annual inspection be established for these tow truck operators that are not licensed as registered tow truck operators so that minimum standards for safe equipment and insurance will be assured.

Declares it is the intent of this act to establish such a system.

Provides that, upon the request of a transporter business license applicant or licensee applying for the initial issuance, or annual renewal of their transporter license with the department of licensing, the Washington State Patrol shall conduct a safety inspection of the vehicle(s) to be used in the transporter business.

Requires the transporter vehicle(s) to pass the inspection to qualify for initial issuance or renewal of the transporter license by the department of licensing.

Directs the Washington State Patrol to by rule establish safety and insurance standards which comply with RCW 46.55.025 for each transporter vehicle.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Transportation.

**HB 1504** by Representatives Simpson, Woods and Lovick

Adjusting notice of abandoned vehicle auctions.

Amends RCW 46.55.110 and 46.55.130 to adjust notice of abandoned vehicle auctions.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Transportation.

**HB 1505** by Representatives Moeller, Wallace, Dunn and Curtis

Changing provision relating to comprehensive plan amendments initiated by local government.

Amends RCW 36.70A.130 relating to comprehensive plan amendments initiated by local government.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Local Government.

**HB 1506** by Representatives Holmquist, McDermott, Schindler, Buri, Murray, Hunt, Walsh, Ormsby, Ahern, Sells, Serben, Cody, Woods, Wood, Ericks, Skinner, Kretz, Crouse, Lovick and Kenney

Authorizing special license plates to recognize the Gonzaga University alumni association.

Authorizes special license plates to recognize the Gonzaga University alumni association.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Transportation.

**HB 1507** by Representatives Cody, Lantz, Priest, Schual-Berke, Darneille, Kirby and Moeller

Prohibiting civil or criminal liabilities or penalties for actions related to the Washington state health insurance pool.

Provides that the pool, members of the pool, board directors of the pool, officers of the pool, employees of the pool, the commissioner, the commissioner's representatives, and the commissioner's employees shall not be civilly or criminally liable and shall not have any penalty or cause of action of any nature arise against them for any action taken or not taken, including any discretionary decision or failure

to make a discretionary decision, when the action or inaction is done in good faith and in the performance of the powers and duties under chapter 48.41 RCW.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**HB 1508** by Representatives Lantz, Campbell, Flannigan, Newhouse, Darneille, Moeller and Kirby

Creating a hearsay exception for statements offered against a party that has engaged or acquiesced in wrongdoing.

Provides that a statement shall not be excluded by the rules of evidence applicable to hearsay if: (1) The declarant is unavailable as a witness; and

(2) The statement is being offered against a party that has engaged or acquiesced in wrongdoing that was intended to, and did, procure the unavailability of the declarant as a witness.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**HB 1509** by Representatives Green, Conway, Orcutt, Appleton, Morrell, O'Brien, Lovick, McCoy, Kilmer, Kessler, McDermott, Campbell, Simpson, Hunt, Chase, P. Sullivan, Sells, Kirby, Kenney, Linville and Kagi; by request of Governor Gregoire

Providing a property tax exemption to widows or widowers of honorably discharged veterans.

Provides a property tax exemption to widows or widowers of honorably discharged veterans.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Finance.

**HB 1510** by Representatives Morris, Quall, B. Sullivan and Chase

Modifying the property taxation of nonprofit entities.

Revises the property taxation of nonprofit entities.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Finance.

**HB 1511** by Representatives Flannigan, Haigh, Campbell and Hudgins

Modifying training requirements for veterinary technicians.

Declares that "veterinary technician" means a person who has successfully completed an examination administered by the board and who has either successfully completed a post high school course approved by the board in the care and treatment of animals or has completed five years of practical experience with a licensed veterinarian that the board has deemed acceptable prior to December 31, 2009.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Economic Development, Agriculture & Trade.

**HB 1512** by Representatives Morrell, Clibborn, Moeller, Cody, Green, Appleton, Roberts, Sommers, Blake, Schual-Berke, Flannigan, Sells, Kenney and Kagi

Concerning improving the quality of care in state-purchased health care programs.

Provides that the secretary shall, in collaboration with other state agencies that administer state purchased health care programs, private health care purchasers, health care providers, and carriers, use evidence-based medicine principles to develop common performance measures and implement financial incentives in contracts with insuring entities and providers that: (1) Reward improvements in health outcomes for individuals with chronic diseases, increased utilization of preventive health services, particularly for children, and reductions in medical errors; and

(2) Increase the adoption and use of information technology that contributes to improved health outcomes, better coordination of care, and decreased medical errors.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Health Care.

**HB 1513** by Representatives Lovick, Campbell and Moeller

Raising court fees.

Increases court filing fees.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**HB 1514** by Representatives Simpson and P. Sullivan

Regulating day-time running lights.

Provides that, when lighted head lights, other lights, and illuminating devices are required under RCW 46.37.020(1), the use of day-time running lights is prohibited.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Transportation.

**HB 1515** by Representatives Murray, Hankins, Walsh, Jarrett, McDermott, Grant, Linville, Upthegrove, Quall, Moeller, Tom, Appleton, Schual-Berke, Darneille, Clibborn, Hunter, Flannigan, Simpson, Williams, Hunt, Hudgins, B. Sullivan, Haigh, Chase, Wood, Cody, Sommers, Kenney, Dickerson, McIntire, Hasegawa, Santos and Ormsby

Expanding the jurisdiction of the human rights commission.

Expands the jurisdiction of the human rights commission to include sexual orientation.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to State Government Operations & Accountability.

**HB 1516** by Representatives Schual-Berke, Tom, Kagi, Hankins, Haler, Cody, Priest, Campbell, Kessler, Dunshee, Clibborn, Wallace, Dickerson, Linville, Fromhold, Hunter, Green, Morrell, Darneille, McDermott, Simpson, Chase, O'Brien, Sells, Roberts, Kilmer, Moeller and Ormsby

Increasing access to health services for children through the "kids get care" service delivery model.

Finds that "kids get care" assures that integrated preventive medical, oral, and developmental health services are provided to young children. Improving the delivery of well child visits, preventive oral health services, and developmental screening can reduce the need for hospitalization, caries treatment, and developmental interventions.

Provides that "kids get care" expands the use of evidence-based preventive measures in community health centers and private medical practices that treat many low-income children. "Kids get care" also strengthens the connections between social service agencies working with low-income families and local health care providers.

Declares an intent to facilitate low-income children's access to appropriate preventive and well-child services and to other necessary health, mental health, and dental services by supporting the extension of the successful "kids get care" model for delivering health services to children.

Provides that \$435,000 of the general fund--state appropriation for fiscal year 2006 and \$760,000 of the general fund--state appropriation for fiscal year 2007 is provided solely to the department of health to develop and implement best practices in preventive health care for children statewide.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Health Care.

**HB 1517** by Representatives P. Sullivan, Walsh, Hasegawa, Grant, Darneille, Morrell, Williams, Campbell, Simpson, Chase, Conway, Hudgins and Talcott

Creating the office of national guard ombudsman.

Creates the office of national guard ombudsman in the office of the governor for the purpose of helping national guard members and their dependents obtain needed services to ensure an economic and healthy quality of life in the community. The focus of the office is to assist men and women serving in the national guard who are currently serving abroad with families remaining at home, as well as those who are returning home, and the special needs that they might have, including mental health and counseling services, marriage support, health care issues, pension and salary issues, and job issues.

Requires the ombudsman to report directly to the governor and shall exercise his or her powers and duties independently of the director of the department of veterans affairs.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to State Government Operations & Accountability.

**HB 1518** by Representatives Lovick, O'Brien, Darneille and Kirby

Providing civil immunity for broadcasters participating in the Amber alert.

Provides that no cause of action shall be maintained for civil damages in any court of this state against any radio or television broadcasting station or cable television system, or the employees, officers, directors, managers, or agents of the radio or television broadcasting station or cable television system, based on the broadcast of information including, but not limited to, the name or description of an abducted child,

the name or description of a suspected abductor, and the circumstances of an abduction supplied by law enforcement officials pursuant to the voluntary broadcast notification system commonly known as the "Amber alert," or as the same system may otherwise be known in this state, which is used to notify the public of missing or abducted children.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**HB 1519** by Representatives Shabro, McDermott, Priest, Flannigan, Rodne, Jarrett, Talcott, Roach, Morrell, Alexander, Simpson, O'Brien, Wood, Conway, McCune, Schindler, McDonald, Linville, Kagi and Moeller

Creating a developmental disabilities community trust account.

Declares that the December 4, 2002, capital study of the division of developmental disabilities residential habilitation centers by the joint legislative audit and review committee identifies options to dispose of excess property at Lakeland Village, Rainier School, and Yakima Valley School that would not impact current residential habilitation center operations.

Recognizes the importance of serving individuals with developmental disabilities in the communities in which they reside.

Finds that using these excess properties to provide services in the community will promote the integration and independence of individuals with developmental disabilities and will enable these individuals to avoid reliance on institutional services.

Declares an intent to allow use of these excess capital properties at residential habilitation centers for persons with developmental disabilities and to place the proceeds from their use into a perpetual trust account for unserved persons with developmental disabilities waiting for community-based developmental disability services.

Provides that excess property identified in the 2002 joint legislative audit and review committee capital study of the division of developmental disabilities residential habilitation centers must be managed to provide as much income as feasible and this income deposited into the developmental disabilities community trust account created in this act. Income may come from the sale or lease of the land, conservation easements, sale of timber, or other activities.

Requires the department to report on its efforts and strategies to provide income to the developmental disabilities community trust account from the excess property identified in this act from the sale or lease of the property, sale of timber, or other activities. The department shall report by June 30, 2006.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Capital Budget.

**HB 1520** by Representatives Cody, O'Brien, Hunt, Conway, Armstrong, Grant, Appleton, Williams, Green, Linville, Darneille, Campbell, Miloscia, Kagi, Schual-Berke, Flannigan, Morrell, McDonald, Simpson, Kenney and Moeller

Participating in insurance plans and contracts by separated plan 2 members of certain retirement systems.

Provides for participation in insurance plans and contracts by separated plan 2 members of certain retirement systems.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Appropriations.

**HB 1521** by Representatives Simpson, O'Brien, Hunt, Appleton, Armstrong, Grant, P. Sullivan, Williams, Linville, Green, Cody, Darneille, Campbell, Miloscia, Kagi, Schual-Berke, Flannigan, Morrell, McDonald, Lovick, Chase and Santos

Purchasing service credit lost due to injury.

Provides for the purchase of service credit lost due to injury.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Appropriations.

**HB 1522** by Representatives Hunt, Armstrong, O'Brien, Jarrett, P. Sullivan, Grant, Williams, Linville, Appleton, Wood, Green, Campbell, Hudgins, Darneille, Miloscia, Simpson, Morrell, Lovick, Chase, Woods, Kenney, Talcott, Dunshee and Ormsby

Crediting military service to certain employees.

Authorizes credit for military service to certain employees.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Appropriations.

**HB 1523** by Representatives Quall, Morris, Pettigrew, Kilmer, Talcott, Pearson, Linville and Kristiansen

Providing a sales and use tax exemption for the conditioning of vegetable seeds in low-income or rural areas of the state.

Provides a sales and use tax exemption for the conditioning of vegetable seeds in low-income or rural areas of the state.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Economic Development, Agriculture & Trade.

**HB 1524** by Representatives Quall, Morris and O'Brien

Revising the elements of endangerment with a controlled substance.

Declares that a person is guilty of the crime of endangerment with a controlled substance if the person manufactures, delivers, or possesses with the intent to manufacture or deliver, a controlled substance in violation of chapter 69.50 RCW, upon the same premises where a child or dependent adult is present.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Criminal Justice & Corrections.

**HB 1525** by Representatives Miloscia, Dunshee, Haigh, McIntire and Moeller

Regulating campaign finances.

Provides that a state contractor may not make, either directly or indirectly, any contribution or expenditure of money or other thing of value, or promise to make any such contribution or expenditure to any political party, committee, or candidate for statewide office or state legislative office or to any person for any political purpose or use.

Prohibits a person from knowingly soliciting any such contribution from a state contractor.

Declares that for purposes of this act, "state contractor" means a person who: (1) Enters into any contract with the state or any department or agency of the state for: (a) The rendition of personal services; (b) furnishing any material, supplies, or equipment; or (c) selling any land or buildings; and

(2) Receives as payment for the performance of the contract funds appropriated by the legislature.

Provides that a candidate for public office may not accept more than one thousand dollars in the aggregate from political action committees for each election in which the candidate is on the ballot or appears as a write-in candidate.

Provides that a corporation or labor organization may not use general treasury funds for the purpose of making contributions or expenditures to influence an election.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to State Government Operations & Accountability.

**HB 1526** by Representatives Miloscia, Dunshee, Appleton, Dickerson, Kagi and Moeller

Establishing the public financing of campaigns.

Provides for the public financing of campaigns.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to State Government Operations & Accountability.

**HB 1527** by Representatives Miloscia, Dunshee, Haigh, Conway, Ormsby, Sells, Simpson, Chase, Dickerson, O'Brien, Wood, Kirby, Kenney, Hasegawa, Santos and Moeller

Requiring living wages on public contracts.

Finds that the state annually awards service contracts to private contractors and vendors to provide services on behalf of the state, and that such expenditures should be spent in a manner that promotes the creation of jobs that allow residents to support themselves and their families with dignity.

Finds that the present federal and state minimum wages generate income at a level below the amount required to support a family at a basic level and that jobs that do not pay living wages result in families who have greater need of social services provided by the state and paid for by state taxpayers.

Declares that the payment of adequate wages to workers for those hours performing services on behalf of the state will promote stability and reduced turnover, resulting in a higher quality of service.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Commerce & Labor.

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### House Joint Resolutions

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**HJR 4204** by Representatives Nixon, Shabro and McCune

Establishing criteria for new counties.

Proposes an amendment to the state Constitution establishing criteria for new counties.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Local Government.

**HJR 4205** by Representatives Schual-Berke, Haigh, Jarrett, Quall, Tom, Hunter, Hunt, Fromhold, Chase, Appleton, Darneille, Williams, Clibborn, McDermott, Simpson, P. Sullivan, Dickerson, O'Brien, Wood, Sells, Roberts, Green, Conway, Hudgins, Kirby, Kenney, McIntire, Dunshee, Hasegawa, Linville, Santos, Kagi, Ormsby, Lantz, Moeller and Blake

Amending the Constitution to provide for a simple majority of voters voting to authorize a school levy.

Proposes an amendment to the state Constitution to provide for a simple majority of voters voting to authorize a school levy.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Education.

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### Senate Bills

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**SB 5461** by Senator Fairley

Changing limits on costs of incarceration charged to offenders.

Provides that, if the court determines that the offender, at the time of sentencing, has the means to pay for the cost of incarceration, the court may require the offender to pay for the cost of incarceration at a rate of fifty dollars per day of incarceration, if incarcerated in a prison, or the court may require the offender to pay the actual cost of incarceration per day of incarceration, if incarcerated in a county jail. In no case may the court require the offender to pay more than one hundred dollars per day for the cost of incarceration.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Human Services & Corrections.

**SB 5462** by Senators McCaslin and Kastama

Changing the terms for nonlegislative members of the legislative ethics board.

Revises the terms for nonlegislative members of the legislative ethics board.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Government Operations & Elections.

**SB 5463** by Senators Doumit and Morton

Allowing small appurtenances on recreational vehicles.

Provides that motor homes, travel trailers, and campers may exceed the maximum width established under RCW 46.44.010 if the excess width is attributable to appurtenances that extend no further than six inches beyond either sidewall of the vehicle. For purposes of this act, an appurtenance is an integral part of the vehicle and includes, but is not limited to, awnings, grab handles, lighting equipment, vents, and cameras.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Transportation.

**SB 5464** by Senators Rasmussen, Brandland, Kline, Spanel, Haugen, Rockefeller and Shin

Authorizing nonpartisan sheriffs.  
Authorizes nonpartisan sheriffs.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Government Operations & Elections.

**SB 5465** by Senators Rasmussen and Morton

Modifying the taxation of land valued under the open space program.

Revises the taxation of land valued under the open space program.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Agriculture & Rural Economic Development.

**SB 5466** by Senators Parlette, Honeyford, Deccio, Mulliken, Hewitt and Delvin

Modifying the definition of wages.

Declares that the determination of a worker's wages shall not include wages for hours worked in excess of forty hours for any week unless the worker demonstrates a pattern of work in excess of forty hours per week for the same employer in the three months immediately preceding the injury.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Labor, Commerce, Research & Development.

**SB 5467** by Senators Kastama, Rasmussen, Oke and Schmidt

Defining veteran for certain purposes.

Pertains to a United States documented merchant mariner with service aboard an oceangoing vessel operated by the department of defense, or its agents, from June 25,

1950, through July 27, 1953, in Korean territorial waters and from August 5, 1964, through May 7, 1975, in Vietnam territorial waters.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Government Operations & Elections.

**SB 5468** by Senator Fairley

Creating insurance requirements for motorcycles, motor-driven cycles, and mopeds.

Provides that any insurer licensed within the state of Washington that provides motor vehicle liability policies, as provided under chapter 46.30 RCW or motor vehicle casualty insurance policies, as provided in RCW 48.22.030, must offer such insurance coverage to all automobiles, as defined in RCW 48.22.005, including, but not limited to motorcycles, motor-driven cycles, and mopeds. For the purpose of this act motorcycle, motor-driven cycle, and moped are defined as provided in chapter 46.04 RCW.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5469** by Senators Schmidt, Regala, Fairley, Esser, Shin, Roach, Rasmussen, Kohl-Welles and Brown

Creating an individual development account program.

Finds that economic well-being encompasses not only income, spending, and consumption, but also savings, investment, and asset-building. The building of assets, in particular, can improve individuals' economic independence and stability.

Finds that it is appropriate for the state to institute an asset-based strategy to assist low-income families. It is the purpose of this act to promote job training, home ownership, and business development among low-income individuals and to provide assistance in meeting the financial goals of low-income individuals.

Establishes an individual development account program within the department for the purpose of facilitating the creation by sponsoring organizations of individual development accounts for low-income individuals.

Establishes a foster youth individual development account program within the individual development account program established pursuant to this act for the purpose of facilitating the creation by sponsoring organizations of individual development accounts for foster youth.

Creates an account in the custody of the state treasurer to be known as the individual development account program account.

Appropriates the sum of three million dollars, or as much thereof as may be necessary, from the general fund to the individual development account program account for the biennium ending June 30, 2007, to carry out the purposes of this act.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to International Trade & Economic Development.

**SB 5470** by Senators Franklin, Thibaudeau, Keiser, Kline, Poulsen, Berkey, Haugen, McAuliffe, Rockefeller, Shin and Kohl-Welles; by request of Governor Gregoire

Allowing the importation of certain prescription drugs from Canadian wholesalers.

Requires that, by September 1, 2005, the board shall, in consultation with the department and the health care authority, submit a waiver request to the federal food and drug administration that will authorize the state of Washington to license Canadian prescription drug wholesalers under RCW 18.64.046, thereby providing retail pharmacies licensed in Washington state the opportunity to purchase prescription drugs from approved Canadian wholesalers and pass those savings on to consumers.

Provides that, by December 1, 2005, the board, in consultation with the department and the health care authority, shall submit a detailed implementation plan to the governor and appropriate committees of the legislature that details the mechanisms that the board will use to implement each component of the waiver under this act.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5471** by Senators Thibaudeau, Keiser, Fraser, Berkey, Poulsen, Kline, Franklin, Brown, Haugen, McAuliffe, Rockefeller and Kohl-Welles; by request of Governor Gregoire

Authorizing a prescription drug purchasing consortium.

Requires the administrator of the state health care authority to, directly or by contract, adopt policies necessary for establishment of a prescription drug purchasing consortium. The consortium's purchasing activities shall be based upon the evidence-based prescription drug program established under RCW 70.14.050.

Provides that state purchased health care programs shall purchase prescription drugs through the consortium for those prescription drugs that are purchased directly by the state and those that are purchased through reimbursement of pharmacies, unless exempted under this act.

Directs the administrator to explore joint purchasing opportunities with other states.

Provides that participation in the purchasing consortium shall be offered as an option beginning January 1, 2006.

Creates the prescription drug consortium advisory committee within the authority. The function of the prescription drug advisory committee is to advise the administrator of the state health care authority on the implementation of the prescription drug purchasing consortium.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5472** by Senators Keiser, Thibaudeau, Poulsen, Fraser, Brown, McAuliffe, Rockefeller and Kohl-Welles; by request of Governor Gregoire

Expanding health benefit plan options available to employers.

Declares an intent to expand health benefit plan options available to employers by offering them the opportunity to enroll in programs administered by the health care authority.

This option provides employers with the opportunity to benefit from participation in a large purchasing pool that is able to negotiate favorable premium rates and improvements in the quality of health care services provided to enrollees.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5473** by Senators Keiser, Deccio, Parlette, Pflug and Kohl-Welles

Prohibiting civil or criminal liabilities or penalties for actions related to the Washington state health insurance pool.

Provides that the pool, members of the pool, board directors of the pool, officers of the pool, employees of the pool, the commissioner, the commissioner's representatives, and the commissioner's employees shall not be civilly or criminally liable and shall not have any penalty or cause of action of any nature arise against them for any action taken or not taken, including any discretionary decision or failure to make a discretionary decision, when the action or inaction is done in good faith and in the performance of the powers and duties under chapter 48.41 RCW.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5474** by Senators Kastama, Schmidt and Eide

Allowing water-sewer districts to consider fees in selecting engineering services.

Provides that, when selecting a professional engineer or professional engineering firm to perform services on behalf of the district, the district may, in lieu of pursuing selection under chapter 39.80 RCW, elect to request that the person or firm submit with its statement of qualifications or project proposal a declaration of the professional fees and fee rates to be charged in performing the services, which may also be used in determining which proposal from a qualified person or firm is chosen.

Declares that RCW 39.80.040 and 39.80.050 need not be complied with by a water-sewer district selecting a professional engineer or professional engineering firm to perform services on behalf of the district under RCW 57.08.050(6).

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Government Operations & Elections.

**SB 5475** by Senators Kline and Kohl-Welles

Banning assault weapons.

Declares that no person in this state shall manufacture, possess, purchase, sell, or otherwise transfer any assault weapon, or any assault weapon conversion kit, except as authorized by this act. Any assault weapon or assault weapon conversion kit the manufacture, possession, purchase, sale, or other transfer of which is prohibited under this act is a public nuisance.

Provides that no person in this state shall possess or have under his or her control at one time both of the following: (1) A semiautomatic or pump-action rifle,

semiautomatic pistol, or shotgun capable of accepting a detachable magazine; and

(2) Any magazine capable of use with that firearm that contains more than ten rounds of ammunition.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**SB 5476** by Senators Kline, Brandland, Fairley, Esser, Kastama, Shin, Pridemore, Weinstein, Haugen, Berkey, Prentice, Rockefeller and Kohl-Welles

Creating advisory sentence ranges.

Declares an intent to restore the ability to impose an aggravated sentence lost by the superior court as a result of the decision of the United States supreme court in *Blakely v. State of Washington*, 542 U.S. ... (2004).

Finds that as the seriousness level of the crime and the criminal history of the offender increase, the need for an individualized and informed assessment of the circumstances of the crime, the offender, and the victim, by the judiciary, is necessary for justice to be obtained.

Finds that the exercise of the judiciary's sentencing discretion over a broader range based upon the assessment of these circumstances is consistent with the policies supporting Washington's sentencing reform act.

Provides that, for offenders convicted of an aggravated offense or for aggravated offenders, the standard sentencing range shall be advisory only. Notwithstanding any other provision of law, the maximum sentence that a court may impose for an aggravated offense or upon an aggravated offender is the maximum sentence for the current offense under chapter 9A.20 RCW, unless it is imposed on any offender sentenced under RCW 9.94A.712.

Provides that, in making its determination of the sentence length to be imposed, the court shall consider the risk assessment prepared by the department of corrections, the presentence report and other materials provided by the offender, and any information provided by the victim or victims of the crime.

Provides that the trial court may impose an aggravated exceptional sentence without a finding of fact by a jury under the following circumstances: (1) The defendant and the state both stipulate that justice is best served by the imposition of an exceptional sentence outside the standard range, and the court finds the exceptional sentence to be consistent with and in furtherance of the interests of justice and the purposes of the sentencing reform act.

(2) The defendant's prior unscored misdemeanor or prior unscored foreign criminal history results in a presumptive sentence that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(3) The defendant has committed multiple current offenses and the defendant's high offender score results in some of the current offenses going unpunished.

(4) The failure to consider the defendant's prior criminal history which was omitted from the offender score calculation pursuant to RCW 9.94A.525 results in a presumptive sentence that is clearly too lenient.

Provides that, at any time prior to trial or entry of the guilty plea if substantial rights of the defendant are not prejudiced, the state may give notice that it is seeking a sentence above the standard sentencing range. The notice shall state aggravating circumstances upon which the requested sentence will be based.

Requires the facts supporting aggravating circumstances to be proved to a jury beyond a reasonable doubt. The jury's verdict on the aggravating factor must be unanimous, and by

special interrogatory. If a jury is waived, proof shall be to the court beyond a reasonable doubt, unless the defendant stipulates to the aggravating facts.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**SB 5477** by Senators Kline, Brandland, Hargrove, Esser, Fairley, Kastama, Shin, Pridemore, Weinstein, Haugen, Berkey, Prentice and Rockefeller

Revising sentencing procedures for exceptional sentences.

Declares an intent to conform the sentencing reform act, chapter 9.94A RCW, to comply with the ruling in *Blakely v. Washington*, 542 U.S. ... (2004). In that case, the United States supreme court held that a criminal defendant has a Sixth Amendment right to have a jury determine beyond a reasonable doubt any aggravating fact, other than the fact of a prior conviction, that is used to impose greater punishment than the standard range or standard conditions.

Declares an intent that aggravating facts, other than the fact of a prior conviction, will be placed before the jury.

Declares an intent that the sentencing court will then decide whether or not the aggravating fact is a substantial and compelling reason to impose greater punishment.

Declares an intent to create a new criminal procedure for imposing greater punishment than the standard range or conditions and to codify existing common law aggravating factors, without expanding or restricting existing statutory or common law aggravating circumstances.

Does not intend the codification of common law aggravating factors to expand or restrict currently available statutory or common law aggravating circumstances.

Does not intend to alter how mitigating facts are to be determined under the sentencing reform act, and thus intends that mitigating facts will be found by the sentencing court by a preponderance of the evidence.

Provides that the trial court may impose an aggravated exceptional sentence without a finding of fact by a jury under the following circumstances: (1) The defendant and the state both stipulate that justice is best served by the imposition of an exceptional sentence outside the standard range, and the court finds the exceptional sentence to be consistent with and in furtherance of the interests of justice and the purposes of the sentencing reform act.

(2) The defendant's prior unscored misdemeanor or prior unscored foreign criminal history results in a presumptive sentence that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(3) The defendant has committed multiple current offenses and the defendant's high offender score results in some of the current offenses going unpunished.

(4) The failure to consider the defendant's prior criminal history which was omitted from the offender score calculation pursuant to RCW 9.94A.525 results in a presumptive sentence that is clearly too lenient.

Provides that, at any time prior to trial or entry of the guilty plea if substantial rights of the defendant are not prejudiced, the state may give notice that it is seeking a sentence above the standard sentencing range. The notice shall state aggravating circumstances upon which the requested sentence will be based.

Requires the facts supporting aggravating circumstances to be proved to a jury beyond a reasonable doubt. The jury's verdict on the aggravating factor must be unanimous, and by special interrogatory. If a jury is waived, proof shall be to the court beyond a reasonable doubt, unless the defendant stipulates to the aggravating facts.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**SB 5478** by Senators Stevens, Benson, Swecker, Benton and Oke

Defining abstinence education and comprehensive sex education for K-12 students.

Finds that section 912 of the welfare reform act of 1996 amends Title V of the social security act, that Washington state receives funding from Title V welfare, that section 510 defines abstinence education, and that entities promoting or teaching abstinence education must verify compliance as required by federal law.

Finds that school districts and their community committee members are free to determine the type and content of sex education programs used in their district.

Declares an intent by this act to help parents clearly identify the type of education being taught, assist community committee members in selecting the best materials to comply with school district policy, and support teachers in complying with their school district policy.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Early Learning, K-12 & Higher Education.

**SB 5479** by Senators Berkey, Benton, Prentice, Esser and McAuliffe

Revising time periods in landlord/tenant actions.

Amends RCW 59.12.070 and 59.18.370 to revise time periods in landlord/tenant actions.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5480** by Senators Roach, Schoesler, Benson, Benton and Oke

Increasing penalties for manufacturing methamphetamine.

Increases penalties for manufacturing methamphetamine.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**SB 5481** by Senators Fairley, Kline and Shin

Prosecuting the extortionate extension of credit by check cashers and sellers.

Prosecutes the extortionate extension of credit by check cashers and sellers.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5482** by Senators Fairley, Kline and Rasmussen

Limiting a borrower to one outstanding small loan.

Amends RCW 31.45.073 to provide that a borrower is limited to one outstanding loan every sixty days.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5483** by Senators Fairley, Kline and Franklin

Offering a small loan borrower a repayment option.

Provides that the borrower shall be affirmatively and actively offered the option of skipping a payday, and having the loan repaid out of a subsequent paycheck within forty-five days, at no additional fee or interest.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5484** by Senators Fairley, Kline, Shin and Rasmussen

Monitoring and reporting on check cashers and sellers.

Requires each licensee to provide the director with any data required by the department for monitoring the business of check cashing and selling in Washington state and reporting to the legislature.

Requires the director to annually provide a report to the legislature, detailing statistics and trends of licensees, and including data adequate to obtain an accurate understanding of the practices, demographics, legal compliance, and profitability of all check cashers and sellers licensed in Washington state. The report is due December 1st of each year, beginning in 2005.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5485** by Senators Fairley and Kline

Placing limits on the amount, interest, and fees for small loans.

Provides that the maximum principal amount of any small loan, or the outstanding principal balances of all small loans made by a licensee to a single borrower at any one time, may not exceed five hundred dollars.

Authorizes a licensee that has obtained the required small loan endorsement to charge interest or fees for small loans not to exceed in the aggregate ten percent of the principal.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5486** by Senators Fairley, Kline and Rasmussen

Regulating check cashers and sellers.

Declares that all lending by check cashers and sellers to Washington state residents, including lending transacted

over the internet, regardless of the location of the lender, is governed by Washington state law.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5487** by Senators Keiser, Hewitt, Doumit, Delvin, Pridemore, Prentice, Schoesler, McAuliffe, Berkey, Rockefeller and Kohl-Welles

Requiring the liquor control board to implement a retail business plan to improve efficiency and increase revenue.

Directs the board to, consistent with, and in addition to, the existing retail business plan, implement strategies to improve the efficiency of retail sales operations and maximize revenue-generating opportunities. Strategies to be implemented shall include, but are not limited to: (1) Expanding store operations to include Sunday sales in selected liquor stores. Sunday sales are optional for liquor vendors operating agency stores;

(2) Implementing a plan of in-store liquor merchandising, including point-of-sale advertising, and product specific point-of-sale promotional displays and carousels, including displays designed and provided by vendors; and

(3) Implementing a plan for in-store liquor merchandising of brands. The plan may not include provisions for selling liquor-related items other than those items previously authorized.

Provides that, by September 1, 2005, the board shall expand operations in at least twenty state-operated retail stores to include Sundays.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Labor, Commerce, Research & Development.

**SB 5488** by Senators Rasmussen and Schoesler

Concerning the fruit and vegetable district fund.

Provides that, on June 30, 2007, any unexpended portion of the two hundred thousand dollars authorized by RCW 15.17.243 shall be transferred to the fruit and vegetable inspection account and deposited in the district account for the district that includes Yakima county.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Agriculture & Rural Economic Development.

**SB 5489** by Senators Regala, Schmidt, Fraser, Delvin, Rasmussen, McAuliffe, Rockefeller and Kohl-Welles; by request of Select Committee on Pension Policy

Purchasing service credit in plan 2 and plan 3 of the teachers' retirement system for public education experience performed as a teacher in a public school in another state or with the federal government.

Provides for purchasing service credit in plan 2 and plan 3 of the teachers' retirement system for public education experience performed as a teacher in a public school in another state or with the federal government.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Ways & Means.

**SB 5490** by Senators Kastama, Kline and McAuliffe

Tightening muffler noise standards.

Amends RCW 46.37.390 relating to noise prevention for motor vehicles.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Transportation.

**SB 5491** by Senators Poulsen, Benson, Kastama and Deccio; by request of Department of Health

Describing when the department of health may collect a fee for infant screening services.

Designates when the department of health may collect a fee for infant screening services.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5492** by Senators Keiser, Deccio, Kline, Parlette, Mulliken and Pflug; by request of Department of Health

Modifying hospital reporting of restrictions on health care practitioners.

Requires the chief administrator or executive officer of a hospital to report to the department when the practice of a health care practitioner is restricted, suspended, limited, or terminated based upon any action defined as unprofessional conduct under RCW 18.130.180. The chief administrator or executive officer shall also report any voluntary restriction or termination that a hospital offers or accepts in order to avoid possible hospital action against the health care practitioner.

Requires the department to forward the report to the appropriate disciplinary authority.

Provides that a hospital, its chief administrator, or its executive officer who files a report under this act in good faith is immune from suit in any civil action related to the filing or contents of the report.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5493** by Senators Kastama, Deccio and Benson; by request of Department of Health

Removing state funding restrictions from the hepatitis C state plan.

Amends RCW 70.54.360 relating to removing state funding restrictions from the hepatitis C state plan.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5494** by Senators Thibaudeau, Deccio, Parlette, Benson, Pflug and Kohl-Welles; by request of Department of Health

Identifying health care providers covered by the retired health care provider liability malpractice insurance program.

Designates health care providers covered by the retired health care provider liability malpractice insurance program.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5495** by Senators Kline, Deccio, Thibaudeau and Shin; by request of Department of Health

Providing the secretary of health with authority to administer grants.

Provides the secretary of health with authority to administer grants.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5496** by Senators Keiser, Brandland, Parlette, Benson, Deccio and Mulliken; by request of Department of Health

Revising provisions for inspection of hospitals.

Requires the department to make or cause to be made an inspection of all hospitals at least every eighteen months.

Provides that surveys conducted by the joint commission on the accreditation of health care organizations or the American osteopathic association on hospitals accredited by those bodies shall be deemed equivalent to a department survey for purposes of meeting the requirements for the survey specified in RCW 70.41.120 if the department determines that the applicable survey standards of the joint commission on the accreditation of health care organizations or the American osteopathic association are substantially equivalent to its own.

Provides that hospitals so surveyed shall provide to the department within thirty days of learning the result of a survey documentary evidence that the hospital has been certified as a result of a survey and the date of the survey.

Requires hospitals to make available to department surveyors the written reports of such surveys during department surveys, upon request.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5497** by Senators Delvin, Hewitt, Honeyford, Schoesler, McCaslin, Deccio, Mulliken, Morton, Roach, Swecker and Pflug

Allowing terminally ill members to remove themselves from their retirement plan.

Authorizes terminally ill members to remove themselves from their retirement plan.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Ways & Means.

**SB 5498** by Senator Delvin

Modifying the sales and use taxation of nonresidents.

Declares that nonresidents of this state are eligible for an exemption in the form of a remittance of state and local sales tax paid on purchases of tangible personal property for use outside this state when the purchaser: (1) Is a bona fide resident of a state or possession or Province of Canada other than the state of Washington and such state, possession, or Province of Canada does not impose a retail sales tax or use tax of three percent or more or, if imposing such a tax, permits Washington residents exemption from otherwise taxable sales by reason of their residence; and

(2) Applies to the department for remittance of the tax paid.

Declares that, notwithstanding anything in this act to the contrary, an individual shall not qualify for remittance of local sales tax under this act when the local jurisdiction has passed an ordinance or resolution which specifies no remittance is permissible.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Ways & Means.

**SB 5499** by Senators Kastama, Berkey, Fairley, Pridemore, Franklin, Haugen, Shin, Kohl-Welles, Doumit, Rasmussen and Keiser

Clarifying and standardizing various election procedures.

Clarifies and standardizes various election procedures.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Government Operations & Elections.

**SB 5500** by Senators Hargrove, Stevens, Delvin and Regala

Specifying procedures for transfer of juvenile proceedings.

Provides that, if the court orders a transfer of venue, the case and copies of all legal and social documents pertaining thereto shall be transferred to the county in which the juvenile resides, without regard to whether or not his or her custodial parent resides there, for supervision and enforcement of the disposition order.

Provides that, if any restitution is yet to be determined, the originating court shall transfer the case to the new county with the exception of the restitution. Venue over restitution shall be retained by the originating court for purposes of establishing a restitution order. Once restitution is determined, the originating county shall then transfer venue over modification and enforcement of the restitution to the new county.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Human Services & Corrections.

**SB 5501** by Senators Hargrove, Stevens, Delvin, Regala and Shin

Authorizing use of lie detector tests on juvenile court services employment applicants.

Amends RCW 49.44.120 relating to subjecting juvenile court services employment applicants to lie detector tests.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Human Services & Corrections.

**SB 5502** by Senators Hargrove, Stevens, Delvin and Regala

Revising juvenile sentencing alternatives.

Declares that an offender is ineligible for the mental health disposition option under RCW 13.40.167 if the offender is: (1) Adjudicated of an A+ offense;

(2) Fourteen years of age or older and is adjudicated of one or more of the following offenses: (a) A class A offense, or an attempt, conspiracy, or solicitation to commit a class A offense; (b) manslaughter in the first degree (RCW 9A.32.060); or (c) any of the following offenses, when the offense includes infliction of bodily harm upon another or when during the commission or immediate withdrawal from the offense the respondent was armed with a deadly weapon: Assault in the second degree (RCW 9A.36.021), extortion in the first degree (RCW 9A.56.120), kidnapping in the second degree (RCW 9A.40.030), robbery in the second degree (RCW 9A.56.210), residential burglary (RCW 9A.52.025), burglary in the second degree (RCW 9A.52.030), drive-by shooting (RCW 9A.36.045), vehicular homicide (RCW 46.61.520), hit and run death (RCW 46.52.020(4)(a)), intimidating a witness (RCW 9A.72.110), violation of the uniform controlled substances act (RCW 69.50.401(2) (a) and (b)), or manslaughter 2 (RCW 9A.32.070);

(3) Ordered to serve a disposition for a firearm violation under RCW 13.40.193; or

(4) Adjudicated of a sex offense as defined in RCW 9.94A.030.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Human Services & Corrections.

**SB 5503** by Senators Carrell, Benton, Schoesler, Zarelli, Pflug, Johnson, Delvin, Honeyford, Esser, Morton, Mulliken, Deccio and McCaslin

Restricting the solicitation of money or employment from the side of a public highway.

Declares that no person shall stand or sit on a public highway, nor upon any shoulder or intersection control area of a public highway, for the purpose of soliciting employment or contributions from the occupant of any vehicle while such vehicle is operating on the respective public highway, shoulder, or intersection control area.

Provides that, for the purposes of this act, the following definitions apply: (1) "Soliciting" means asking for money, objects of value, or employment, with the intention that the money or object be transferred or the employment offered at that time and at that place. "Soliciting" includes, but is not limited to, using the spoken, written, or printed word, bodily gestures, signs, or other means with the purpose of obtaining an immediate donation of money or other thing of value or soliciting the sale of goods or services.

(2) "Public highway" means the entire width between the boundary lines of every way publicly maintained when any part is open to the use of the public for purposes of vehicular travel.

(3) "Intersection control area" means an intersection area, together with any modification of the adjacent roadway area as results from the arc of curb corners and together with

any marked or unmarked crosswalks adjacent to the intersection.

Declares that a violation of this act constitutes a misdemeanor.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Transportation.

**SB 5504** by Senators Carrell, Hewitt, Mulliken, Swecker, Deccio, Zarelli, Benson, Delvin, Honeyford, Stevens, Esser, Brandland, Schoesler, Roach, Benton and Oke

Concerning aggravated multiple murder cases.

Amends RCW 10.95.020 to provide that a person is guilty of aggravated first degree murder, a class A felony, if he or she commits first degree murder as defined by RCW 9A.32.030(1)(a), as now or hereafter amended, and the following aggravating circumstance exists: There was more than one victim regardless of when the murders occurred, whether the murders occurred in one or more jurisdictions, or whether the murders were part of a common scheme or plan or the result of a single act or multiple acts of the person.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**SB 5505** by Senators Carrell, Morton, Honeyford and Mulliken

Regarding liability for storm water control.

Declares an intent to: (1) Encourage storm water management and flood prevention; and

(2) Establish a minimum standard of care for the design, development and maintenance of adequate storm water control facilities in natural watercourses within urban growth areas of high population density.

Provides that, within urban growth areas designated under RCW 36.70A.110, and where drainage to a natural watercourse has been increased significantly beyond the capacity of the watercourse in its natural condition: (1) A city must make diligent efforts to develop, maintain, and enhance the capacity of storm water control facilities to protect life and property from flooding and attendant damages; and

(2) A city is liable in an action for damages to a person whose property is damaged by flooding if the damages would have been avoided by the city's exercise of reasonable care in developing, maintaining, and enhancing the capacity of storm water control facilities.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Water, Energy & Environment.

**SB 5506** by Senators Kohl-Welles, Fairley, Regala and Thibaudeau

Placing restrictions on the marketing or merchandising of credit cards to students at the state's institutions of higher education.

Requires institutions of higher education to each develop official credit card marketing policies. The process of development of these policies must include consideration of student comments. The official credit card marketing policies must, at a minimum, include consideration of and

decisions regarding: (1) The registration of credit card marketers;

(2) Limitations on the times and locations of credit card marketing; and

(3) Prohibitions on material inducements to complete a credit card application, but not including introductory rate offers.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Financial Institutions, Housing & Consumer Protection.

**SB 5507** by Senator Finkbeiner

Providing law enforcement accountability for officers involved in traffic accidents.

Establishes law enforcement accountability for officers involved in traffic accidents.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Judiciary.

**SB 5508** by Senators Doumit and Hewitt

Providing sales and use tax exemptions for light and power businesses.

Provides sales and use tax exemptions for light and power businesses.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Ways & Means.

**SB 5509** by Senators Poulsen, Esser, Fraser, Schmidt, Pridemore, Fairley, Berkey, Kohl-Welles, Kline, Regala, Rockefeller, Weinstein, Brown, Keiser and McAuliffe

Requiring public buildings to be built using high-performance green building standards.

Finds that public buildings can be built and renovated using high-performance methods that save money, improve school performance, and make workers more productive. High-performance green buildings are proven to increase student test scores, reduce worker absenteeism, and cut energy and utility costs.

Declares an intent that state-owned buildings and schools be improved by adopting nationally recognized standards for high-performance green buildings and allowing flexible methods and choices in how to achieve those standards.

Declares an intent that independent performance audits be used to monitor this program and ensure that our economic, community, and environmental goals are achieved each year.

Requires that all major facility projects of public agencies receiving any funding in a state capital budget shall be designed, constructed, and certified to at least the LEED silver standard.

Requires public agencies and public school districts to monitor and document ongoing operating savings resulting from major facility projects designed, constructed, and certified as required under this act.

Provides that public agencies shall report annually to the department on its major facility projects and operating savings, while public school districts shall report annually to the office of the superintendent of public instruction.

Directs the department to create a high-performance buildings advisory committee comprised of affected public agencies, the state board of education, the office of the superintendent of public instruction, and others at the department's discretion to provide advice on implementing this act.

Provides that, among other things, the advisory committee shall make recommendations regarding an education and training process and an ongoing evaluation or feedback process to help the department and the state board of education implement this act.

Provides that, notwithstanding any other provision in chapter 39.04 RCW, public works project requests for proposals or bids on major facility projects required to be high-performance green buildings under chapter 39.-- RCW (sections 1 through 4 of this act) shall provide for performance-based contracting, building commissioning, or responsible bidding as necessary to design, construct, and certify the major facility project to meet the LEED silver standard.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Water, Energy & Environment.

**SB 5510** by Senators Spanel and Kohl-Welles

Defining supervisor for public employment purposes.

Declares that "supervisor" means an employee who has authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, including the supervision of student workers at an institution of higher education.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Labor, Commerce, Research & Development.

**SB 5511** by Senators Shin, Esser, Rockefeller, Carrell, Mulliken and Benson

Extending liability immunity to certain skate parks that charge a nominal fee.

Provides that a public or private nonprofit owner or operator of a skate park may charge a nominal fee for the use of a skate park where the fees are devoted solely to providing supervision of the use and maintenance of the skate park facility. For purposes of this act, "skate park" means an indoor or outdoor ramp, course, or area specifically designated for the exclusive recreational or sporting use of skateboards, bicycles, scooters, or roller skates.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Natural Resources, Ocean & Recreation.

**SB 5512** by Senators Regala, Roach, Fraser, McAuliffe, Delvin, Keiser, Rockefeller, Rasmussen, Kohl-Welles and Benton; by request of Select Committee on Pension Policy

Permitting members of the teachers' retirement system plan 2 and plan 3 who qualify for early retirement or alternate early retirement to make a one-time purchase of additional service credit.

Authorizes members of the teachers' retirement system plan 2 and plan 3 who qualify for early retirement or alternate early retirement to make a one-time purchase of additional service credit.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Ways & Means.

**SB 5513** by Senators Haugen, Shin, Kohl-Welles, Rasmussen, Fairley and Prentice

Restructuring certain transportation agencies.

Finds that it is in the interest of the state to restructure the roles and responsibilities of the state's transportation agencies in order to improve efficiency and accountability.

Finds that continued citizen oversight of the state's transportation system remains an important priority. To achieve these purposes, the legislature intends to provide direct accountability of the department of transportation to the governor, in his or her role as chief executive officer of state government, by making the secretary of transportation a cabinet-level official.

Declares that it is essential to clearly delineate between the separate and distinct roles and responsibilities of the transportation commission and the department of transportation. Finally, consolidating the research and audit functions of the state's transportation agencies under a single citizen-governed entity, the transportation commission, will better serve the state.

Repeals RCW 44.28.161, 44.40.010, 44.40.013, 44.40.015, 44.40.030, 44.40.040, 44.40.090, 44.40.140, 44.40.150, 44.40.161, and 53.08.350.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Transportation.

**SB 5514** by Senators Keiser, Fraser, Delvin, Regala, Pflug and Rasmussen; by request of Select Committee on Pension Policy

Choosing a reduced retirement allowance under the law enforcement officers' and fire fighters' retirement system, plan 1.

Provides for choosing a reduced retirement allowance under the law enforcement officers' and fire fighters' retirement system, plan 1.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Ways & Means.

**SB 5515** by Senators Regala, Esser, Kline, Poulsen, Rockefeller, Brandland, Fraser, Kohl-Welles, Brown, Keiser, Pridemore and Shin

Prohibiting the sale of products that contain polybrominated diphenyl ethers.

Prohibits the sale of products that contain polybrominated diphenyl ethers.

Provides that, subject to available funding, the department of general administration and the department of health shall conduct a stakeholder process to develop a proposal for a ban on the use of decabromodiphenylether in transportation vehicles, and a proposal for the ban or management of used and recycled products containing polybrominated diphenyl ethers.

Requires the department and the department of health to report the findings and recommendations of the

stakeholder process to the appropriate committees of the legislature by December 15, 2005. The preparation of the reports required in this provision is subject to available funding.

Provides that, by January 1, 2006, the department of general administration shall: (1) Give priority and preference to the purchase of equipment, supplies, and other products that do not contain polybrominated diphenyl ethers; and

(2) Make available for purchase and use by all state agencies only equipment, supplies, and other products that do not contain polybrominated diphenyl ethers.

Directs the department of general administration to, by January 1, 2006, revise its rules, policies, and guidelines to implement the purposes of this act.

Declares that a violation of this act is punishable by a civil penalty not to exceed one thousand dollars for each violation in the case of a first offense. Repeat violators are liable for a civil penalty not to exceed five thousand dollars for each repeat offense. Penalties collected under this provision must be deposited in the state toxics control account created in RCW 70.105D.070.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Water, Energy & Environment.

**SB 5516** by Senators Thibaudeau, Deccio, Benton, Keiser, Pflug, Rockefeller, Prentice, Kohl-Welles, Franklin, McAuliffe and Benson

Regarding independent prescriptive authority for advanced registered nurse practitioners.

Amends RCW 18.79.240 relating to independent prescriptive authority for advanced registered nurse practitioners.

Repeals RCW 18.57.280, 18.71.370, and 18.79.320.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Health & Long-Term Care.

**SB 5517** by Senators Doumit, Benton, Parlette, Regala, Zarelli, Fraser, Mulliken, McAuliffe, Rasmussen and Benson; by request of Select Committee on Pension Policy

Vesting after five years of service in the defined benefit portion of the public employees' retirement system, the school employees' retirement system, and the teachers' retirement system plan 3.

Provides for vesting after five years of service in the defined benefit portion of the public employees' retirement system, the school employees' retirement system, and the teachers' retirement system plan 3.

**-- 2005 REGULAR SESSION --**

Jan 26 First reading, referred to Ways & Means.

**SB 5518** by Senators Eide, Swecker, Spanel, Stevens, Mulliken, Rasmussen and Benson

Increasing certain fees of licensing subagents.

Amends RCW 46.01.140 to increase certain fees of licensing subagents.

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-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Transportation.

**SB 5519** by Senators Stevens, Swecker, Eide,  
Spanel, Mulliken and Rasmussen

Revising the authority of a vehicle licensing subagent to recommend a successor.

Amends RCW 46.01.140 to revise the authority of a vehicle licensing subagent to recommend a successor.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Transportation.

**SB 5520** by Senators Keiser, Rasmussen, Hewitt,  
Oke and Franklin

Participating in insurance plans and contracts by separated plan 2 members of certain retirement systems.

Provides for participation in insurance plans and contracts by separated plan 2 members of certain retirement systems.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Ways & Means.

**SB 5521** by Senators Rasmussen, McAuliffe,  
Schmidt, Oke, Keiser, Shin, Thibaudeau,  
Kline, Kohl-Welles and Benson

Crediting military service to certain employees.

Authorizes credit for military service to certain employees.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Government  
Operations & Elections.

**SB 5522** by Senators Franklin, Weinstein, Keiser,  
Kastama, Zarelli, Rasmussen, Hewitt,  
Kline, Schmidt and Rockefeller

Purchasing service credit lost due to injury.

Provides for the purchase of service credit lost due to injury.

-- 2005 REGULAR SESSION --

Jan 26 First reading, referred to Ways & Means.





# LIST OF BILLS IN DIGEST SUPPLEMENTS CONT.

## SENATE

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## HOUSE

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HB 1415	Supp. 11	HJM 4004	Supp. 8
HB 1416	Supp. 11	HJM 4005	Supp. 11
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HB 1423	Supp. 11	HCR 4401	Supp. 1
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